

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA

WILLIAM M. REED,

Plaintiff,

v.

KIRAN TRANSPORT, LLC, et al.,

Defendants.

No.: 1:22-CV-183-KAC-CHS

ORDER ADOPTING REPORT & RECOMMENDATION


Before the Court is United States Magistrate Judge Christopher H. Steger’s “Report and Recommendation” (“Report”) entered on July 6, 2023 [Doc. 36]. Plaintiff filed this action on July 11, 2022 [Doc. 1]. Plaintiff previously represented that he served Defendant Kiran Transport, LLC on July 18, 2022 [Doc. 5 at 2]. Defendant Kiran Transport, LLC thereafter appeared to have failed to “respond to [the] Complaint within twenty-one (21) days of being served” [See Docs. 12 at 1 (citing Fed. R. Civ. P. 12(a)), 15]. This ultimately led to the Clerk entering Default against Defendant Kiran Transport, LLC on September 15, 2022 [Doc. 19]. But on October 5, 2022, Plaintiff and Defendant Kiran Transport filed a “Joint Motion to Set Aside Entry of Default” [Doc. 24], which stated that “service of the summons and complaint was inadvertently made on the incorrect [] process agent” [*Id.* at 1]. The Court referred the Joint Motion to Judge Steger [Doc. 25].

In his Report, Judge Steger recommends that the Court grant the Joint Motion and set aside “the default entered against Defendant Kiran Transport” [Doc. 36 at 1, 3]. No Party has objected to the Report. And the time to do so has passed. *See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b)(2).

After reviewing the record, the Court **ACCEPTS** and **ADOPTS** Judge Steger's Report [Doc. 36] under 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b)(2). The Court **ORDERS** as follows:

- (1) The Court **GRANTS** the "Joint Motion to Set Aside Entry of Default" [Doc. 24]; and
- (2) The Court **SETS ASIDE** the "Entry of Default" against Defendant Kiran Transport, LLC [Doc. 19].

IT IS SO ORDERED.


KATHERINE A. CRYTZER
United States District Judge